

CAMPAIGN FINANCE DISCLOSURE		
CATEGORY	CITATION	SUMMARY OF LAW
Reporting Amount	<p>R.S. 18:1491.7, 1495.5, 1483(6)(b)(i) and (9)(b)(ii)</p> <p>*R.S. 18:1491.5(B)(2), 1491.7(B)(5), 1495.3(B)(2), 1495.5(B)(5)</p>	<p>Requires reporting of all contributions and expenditures (including in-kind contributions and expenditures valued over \$25 and ticket sales.)</p> <p>*Single transactions to purchase campaign paraphernalia for \$25 or less do not have to be reported by individual sale but must be reported as gross proceeds received and accepted. Paraphernalia sales are still contributions and successive single sales may not be used to avoid record keeping or reporting requirements.</p>
<p>Contribution Limits</p> <p>(1) Contribution limits that apply separately for primary and general elections.</p> <p>.....</p> <p>(2) Contribution limit that applies to the total amount of combined contributions for both primary and general elections.</p> <p>.....</p>	<p>R.S. 18:1505.2(H)(1)(a)</p> <p>R.S. 18:1505.2(H)(2)(a)</p> <p>R.S. 18:1505.2(H)(2)(b)</p> <p>.....</p> <p>R.S. 18:1505.2(H)(7)(a)</p> <p>.....</p> <p>*R.S. 18:1505.2(H)</p> <p>**R.S. 18:1505.2(H)</p>	<p><u>To Candidates or their Committees</u></p> <p>Major – \$5,000 District – \$2,500 Other – \$1,000</p> <p><u>By PACs to Candidates or their Committees</u></p> <p>Major – \$5,000 District – \$2,500 Other – \$1,000</p> <p><u>By PACs with more than 250 members</u> (of which at least 250 members each contributed at least \$50 to the PAC during previous calendar year)</p> <p>Major – \$10,000 District – \$5,000 Other – \$2,000</p> <p>.....</p> <p><u>Total Combined Campaign Contribution Limits</u> <u>Received by Candidate or his Committee from PACs:</u></p> <p>Major – \$80,000 District – \$60,000 Other – \$20,000</p> <p>.....</p> <p>*Limits do not apply to contributions made by recognized political parties or their committees. **Limits doubled for unsuccessful major office candidates who do not participate in general and for the time period for which such candidate has a deficit for expenditures made through the day of the primary.</p>
Ticket Sales	R.S. 18:1491.7(B)(6), 1495.5(B)(6)	Reported as any other contribution
Cash	<p>R.S. 18:1505.2(C)</p> <p>R.S. 18:1491.4(E), 1495.2(E)</p>	<p>Persons are prohibited from making cash contributions and candidates or committees are prohibited from receiving cash contributions in excess of \$100 during any calendar year.</p> <p>Receipt required for exact amount of contribution containing the name, address, social security number, and signature of contributor.</p> <p>No expenditure in excess of \$100 from petty cash and no expenditure made from petty cash for personal services, except gratuities for the serving of food and drink.</p>
Personal Use ¹	R.S. 18:1505.2(I)	Prohibits conversion of funds received after 7-15-88, and prohibits use unrelated to a political campaign or the holding of a public office or party position. Establishes guidelines for disposal, including return to contributors on a pro rata basis, give to charity, support of another candidacy, and escrow for future campaigns.
<p>48 Hours Provision</p> <p>(for period beginning midnight of 20th day prior to election through midnight of election day)</p>	R.S. 18:1491.6(C), 1495.4(C)	<p>Must file within 48 hours of transaction if candidate receives contribution in excess of:</p> <p>Major – \$500 District – \$250 Other – \$250</p> <p>Or if candidate makes expenditure in excess of \$200 to any person who makes endorsements and who must file reports.</p>
Election Day Activities ²	R.S. 18:1532	<p>Not later than 10 days after election day all expenditures made for services performed, or advertising broadcast or published on election day must be reported. If no expenditures are made, zeros must be reported.</p> <p>Report name and address of each individual to whom a monetary expenditure was made.</p>
Transportation of Voters	R.S. 18:1531	Prohibits making or receiving payments, including reimbursements of costs, for the transportation of any voter to a polling place or for absentee voting unless payment is to a licensed bus, taxi, or transportation service. Medical transportation services do not qualify to receive payments for transporting voters.
Penalties for Contribution Limits and Personal Use Violations ¹	R.S. 18:1505.2(J)	<p><u>Major, District and Other</u></p> <p>Not more than \$5,000 or amount of violation, whichever is greater.</p> <p>Knowing and willful violation, double the penalty.</p>

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Penalties for Reporting Violations¹ (1) Automatic Late Fees which may be assessed. (2) Additional penalties for any report required between qualifying and election day which has not been filed by the 6th day after it is due. (3) Additional penalties for any other report required which has not been filed by the 11th day after it is due.	R.S. 18:1505.4	(1) Knowingly fails to file or knowingly fails to timely file reports: Major – \$100 per day, maximum of \$2,500 District – \$60 per day, maximum of \$2,000 Other – \$40 per day, maximum of \$1,000 \$40 per day, maximum of \$1,000 for persons or committees which support/oppose propositions/ recalls. \$200 per day, maximum of \$3,000 for PACs which support/oppose candidate. Penalties for special 48 Hour reports may be up to twice the penalties above. (2) After a public hearing with notice to party who is subject of hearing, an additional civil penalty not to exceed \$10,000. (3) After a public hearing with notice to party who is subject of hearing, an additional civil penalty not to exceed \$10,000.
Penalties for Knowing and Willful Violation of Campaign Finance Disclosure Act, Except Failure to File or Timely File¹	R.S. 18:1505.5	Major – Not more than \$500 District – Not more than \$300 Other – Not more than \$100 Not more than \$100 for persons or committees supporting/opposing propositions/recalls. Not more than \$1,000 for PACs which support/oppose a candidate. Each day of violation, if applicable, constitutes a separate offense. Maximum penalties are the same as (1) in "Penalties for Reporting Violations".
Criminal Penalties	R.S. 18:1505.6	Knowingly, willfully, and fraudulently fail to file, fail to timely file, fail to disclose, fail to accurately disclose, or violate provision of Campaign Finance Disclosure-not more than 6 months in parish jail or \$500 or both

¹R.S. 18:1505.2(I) prohibits a candidate or his committee from expending campaign funds if the candidate owes a fine, fee, or penalty imposed by a final order of a court or the supervisory committee. R.S. 18:1505.2(O) allows the supervisory committee to prohibit a candidate or elected official from using campaign funds to pay campaign finance fines, fees, or penalties for intentional and egregious violations. R.S. 18:1505.4(D) allows the supervisory committee to collect fines, fees, and penalties owed by an elected official through forfeiture of the elected official's public salary.

²R.S. 18:1532(B) exempts a noncandidate PAC which has not made any election day expenditures from the requirement to file election day expenditure reports. R.S. 18:1491.6(I) additionally allows a noncandidate PAC to opt to file monthly reports.

Prohibited Contributions (R.S. 18:1505.2(B), (L)*, (M), and (P)):

- (1) **Anonymous sources.** Penalty for violation: Anonymous contributions must be paid over to the state directly.
- (2) **Persons substantially interested in the gaming industry.** Penalty for violation: Candidates or committees who accept illegal gaming contributions must pay those contributions over to the state within 10 days of notification by the supervisory committee. Contributors are subject to civil penalties up to \$10,000 as well as possible criminal penalties, and being rendered unsuitable to hold the gaming license.

However, expenditures by a candidate for his own campaign or a contribution, loan, or transfer of funds by a candidate to his own political committee are not prohibited; and a gaming interest may make independent expenditures as long as it acts without the cooperation or consultation of any candidate or the representative of any candidate – see Ethics Opinion No. 99-424.

- *NOTE:** In the case of *Claude M. Penn, Jr., et al. v. State of Louisiana*, 751 So. 2d 823, the La. Supreme Court found a portion of the Campaign Finance Disclosure Act unconstitutional insofar as it precludes contributions to candidates and political committees by video draw poker licensees. In Ethics Opinion No. 2000-248, the Board of Ethics states that "persons substantially interested in the video poker gaming industry may make campaign contributions and candidates for state and local office may accept such contributions".
- In the matter of *Casino Association of Louisiana, Inc, et al. v. State of Louisiana*, 820 So. 2d 494, the La. Supreme Court upheld the consitutionality of the prohibitions in R.S. 18:1505.2(L) as applied to riverboat and land-based casino licensees.
- (3) **Foreign nationals.** Penalty for violation: Candidates or committees who accept illegal contributions from foreign nationals must pay those contributions over to the state within 10 days of notification by the supervisory committee. Contributors subject to full penalties under the Campaign Finance Disclosure Act.
- (4) **Federal Campaign Funds.** Prohibits funds which are subject to the Federal Election Campaign Act of 1971, as amended, contributed to or for a person who seeks election to an office subject to the provisions of said Act from being transferred, loaned, or contributed by a candidate, his agent, or his federal campaign committee to the candidate, any political committee of such candidate, or to any other political committee which supports the candidate; nor shall the candidate, his federal campaign committee, or his agent use such funds to otherwise support his candidacy.

Fundraising Functions During Legislative Sessions:

Regular legislative sessions: R.S. 24:56 prohibits a fundraising function from being held during a legislative session for or by a legislator unless written notice of the function has been given to the Board of Ethics no later than 30 days prior to the function. Additionally, unless such notice requirements are met, no lobbyist for himself or his principal shall offer or provide to a legislator or his principal campaign committee any campaign contribution or loan resulting from a fundraising function during a regular session nor shall any legislator solicit or receive any campaign contribution or loan for himself or his principal campaign committee from a lobbyist or his principal resulting from a fundraising function held during a legislative session.

Special sessions: R.S. 24:56.1 provides that no fundraising function shall be held for or by a legislator during such special session unless notice of the function has been filed with the board within two business days after the issuance of the proclamation stating the objects of the session.